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EXAMINER

TRUONG, CAM Y T

ART UNIT PAPER NUMBER

2162

DATE MAILED: 12/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/648,125

Applicant(s)

GROVE ET AL.

Examiner

Cam Y T. Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7, 9-19, 21-29 and 31-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-19, 21-29, 31-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Applicant has amended claims 1, 3-5, 7, 9-13, 15, 16, 21-23, 25-27, 29, 31-34, 36, and added 37-38 and canceled claims 8, 20 and 30 in the amendment filed on 7/12/2006.

Claims 1-7, 9-19, 21-29, 31-38 are pending in this Office Action.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-7, 9-19, 21-29, 31-38 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argued that the prior art of record does not teach amended claims or added claimed limitations "searching a database of reference listing data to locate a similar listing; receiving an indication from the user selecting the similar listing" in independent claims.

In response to applicant's argument, claims 1-7, 9-19, 21-29, 31-38 are rejection in view of the new ground(s) of rejection as discussed in this office action.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 3, 7, 9-12, 19, 21, 22, 25, 29, 31-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The language of claims 3, 7, 9-12, 19, 21, 22, 25, 29, 31-34 appears to be an attempting to employ the Markush style of claiming alternative limitation. The term "comprising" is not proper when used in Markush style claiming. MPEP 2173.05(h).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4, 7, 9, 13-16, 19, 21, 23-26, 29, 31, 35, and 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyden et al (or hereinafter "Boyden") (US2003/0036964 A1) in view of Linden et al (or hereinafter "Linden") (US 6266649).

As to claim 1, Boyden teaches a method of generating a listing in a network-based commerce system (generating data in fields 218-220 in a network based commerce system, page 4, col. Right, lines 17-23; page 3, paragraph [0024], lines 4-10), the method including:

"receiving listing identification data from a user" as the input section 202 can include a search tool 204 having an input fields 205 and a button 206 to search for vehicles in the list 201 by Vehicle Identification Number (VIN). Fig 2B shows an example of a vehicle work sheet page 200b to modify data for a vehicle that was already on the list 201 of the work list page 200a. The vehicle data includes 213 and 214. The above information shows that to display the vehicle data as shown in fig. 2B,

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the system receives VIN from a user and retrieves the a specific vehicle based on the inputted VIN by the user (fig. 2A, page 4, col. Left, lines 2-7; page 4, paragraph [0032], lines 1-9);

“searching a database of reference listing data to locate a similar listing” as the input section 202 can include a search tool 204 having an input fields 205 and a button 206 to search for vehicles in the list 201 by Vehicle Identification Number (VIN). Fig 2G shows various seller report pages 200g-200j that are generated by the server and sent to the seller system. The above information shows that system searches the list 201 as a database of reference listing data to display or locate the seller report pages on an interface for viewing. The report includes items about vehicles. The items are not similar listing (figs. 2A & 2B, page 4, col. Left, lines 2-7; page 4, paragraph [0032], lines 1-9, paragraph [0036], lines 1-3);

“generating a proposed listing to present to the user, the proposed listing including the similar listing” as displaying a page includes data 213 and 214. The page is represented as a proposed listing. The proposed listing does not include the similar listing (fig. 2B, page 4, paragraph [0032], lines 1-3);

“ allowing the user to modify the listing data of the proposed listing to creating a list” as prior to posting or sending the data entered in fields 218-220 to a database in the auction server system, the system allows the user to edit the vehicle data of the page 200b in fig. 2B by clicking on either links such as 1. Modify vehicle configuration, 2. Modify condition report, 3. Update mileage & pricing (figs. 2B & 2C, page 4, paragraph [0032], lines 1-21, col. Right, lines 17-23);

"resulting in the listing" as after the user to edit vehicle data and click on update icon, the system indicates Mileage & pricing of the vehicle data are updated (fig. 2C page 4, paragraph [0033], lines 1-10);

"posting the listing in a database of the network-based commerce system" as sending the data entered in the fields 218-220 to a data-record for the vehicle in the auction server system. More specifically, the seller system sends the data entered in the fields to a database in the auction server (page 4, col. Right, lines 17-23);

"wherein the listing, once posted, representing an offering of a good or service" as the seller sends the data entered in the fields to a data-record for the vehicle in the auction server system. Then the auction server system provides a report 300e to a buyer system. The report 300e includes data about the vehicle from the data-record in the auction server database. The above information shows that once the entered data in the fields posted in the data-record, the server retrieves the entered data to represent an offering of a good or details of a vehicle as displayed in the report 300e to the buyer (fig. 3E, page 4, col. Right, lines 17-23; page 6, col. Left, lines 1-10).

Boyden does not explicitly teach the claimed limitation "similar listing; receiving an indication from the user selecting the similar listing".

Linden teaches displaying similar items listings and a user selecting a corresponding hyperlink from a Web page to obtain a listing of recommended book titles or obtain a listing of recommended music or video titles (fig. 6, col. 14, lines 15-20).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Linden's teaching of displaying similar items listings

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and a user selecting a corresponding hyperlink from a Web page to obtain a listing of recommended book titles or obtain a listing of recommended music or video titles to Boyden's system in order to allow a user select a particular similar item listing so that the service can retrieve another similar item lists based on the selected similar list and further to predict the interests of users based on the user's indication so that the system provide a recommendation of similar items based on the interests of users.

As to claim 2, Boyden teaches the claimed limitation "which includes allowing the user to accept the listing, prior to posting the listing" as allowing a user to update or cancel updating the data record for the specific vehicle. The above information indicates that the system allows a user to accept the data record or deny the data record before posting the data record to the server (page 4, paragraph [0033], lines 6-10; page 4, col. Right, lines 17-23).

As to claims 3 and 25, Boyden teaches the claimed limitation "wherein the network-based commerce includes a database of listing data associated with at least one of a group including movies, music, games, books and motor vehicles" as a database of listing data associated with motor vehicle (figs. 2A & 2E, page 4, col. right, lines 17-23).

As to claims 4, and 16, Boyden teaches the claimed limitation "which includes: generating a user interface with a plurality of fields; and populating the plurality of fields

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with the listing data” as generating a web page with a plurality of fields 304 and populating the fields 304 with the vehicle data (fig. 3A-3B, page 5, paragraph [0041], lines 15-22).

As to claims 7, 19 and 29, Boyden teaches the claimed limitation “wherein the listing data includes at least one of a group including a title of the listing, a description of the listing, and an image related to the listing” as vehicle data includes vehicle description (fig. 3A).

As to claim 9, Boyden teaches claimed limitation “wherein the listing identification data is a Vehicle Identification Number (VIN), the method including retrieving listing data including one of a group including a model year of the vehicle, a manufacturer of the vehicle, a number of doors of the vehicle, and an engine capacity of the vehicle” as a Vehicle Identification Number (fig. 2A), retrieving vehicle data includes model of year of the vehicle (fig. 3A, page 5, paragraph [0042]).

As to claim 13, Boyden teaches a machine-readable medium including a sequence of instructions that, when executed by a machine (the auction server system displays a seller work-list web page 200a in response to a request from a seller system. The above information indicates that the server system has included a computer readable medium, which includes instructions for responding to seller’s request, page 3, paragraph [0030], lines 1-4; page 12, col. Right, lines 5-7), “cause the machine to:



receive listing identification data from a user requesting posting of a listing on a network-based commerce system" as the input section 202 can include a search tool 204 having an input fields 205 and a button 206 to search for vehicles in the list 201 by Vehicle Identification Number (VIN). Fig 2B shows an example of a vehicle work sheet page 200b to modify data for a vehicle that was already on the list 201 of the work list page 200a before posting to a server. The vehicle data includes 213 and 214. The above information shows that to display the vehicle data as shown in fig. 2B, the system receives VIN from a user and retrieves the a specific vehicle based on the inputted VIN by the user (fig. 2A, page 4, col. Left, lines 2-7; page 4, paragraph [0032], lines 1-9; page 4, col. Right, lines 17-23);

"searching a database of reference listing data to locate at least one similar listing" as the input section 202 can include a search tool 204 having an input fields 205 and a button 206 to search for vehicles in the list 201 by Vehicle Identification Number (VIN). Fig 2G shows various seller report pages 200g-200j that are generated by the server and sent to the seller system. The above information shows that system searches the list 201 as a database of reference listing data to display or locate the seller report pages on an interface for viewing. The report includes items about vehicles. Items are not similar listing (figs. 2A & 2B, page 4, col. Left, lines 2-7; page 4, paragraph [0032], lines 1-9, paragraph [0036], lines 1-3);

"generate a proposed listing to present to the user, the proposed listing including the at least one similar listing" as displaying a page includes data 213 and 214. The

page is represented as a proposed listing. The proposed listing does not include similar listing (fig. 2B, page 4, paragraph [0032], lines 1-3);

“allow the user to modify the listing data in the proposed listing to create a listing” as prior to posting or sending the data entered in fields 218-220 to a database in the auction server system, the system allows the user to edit the vehicle data of the page 200b in fig. 2B by clicking on either links such as 1. Modify vehicle configuration, 2. Modify condition report, 3. Update mileage & pricing (figs. 2B & 2C, page 4, paragraph [0032], lines 1-21, col. Right, lines 17-23);

“resulting in the listing” as after the user to edit vehicle data and click on update icon, the system indicates Mileage & pricing of the vehicle data are updated (fig. 2c, page 4, paragraph [0033], lines 1-10);

“post the listing in a database of the network-based commerce system” sending the data entered in the fields 218-220 to a data-record for the vehicle in the auction server system. More specifically, the seller system sends the data entered in the fields to a database in the auction server (page 4, col. Right, lines 17-23);

“the listing, once posted, representing an offering of a good or service” as the seller sends the data entered in the fields to a data-record for the vehicle in the auction server system. Then the auction server system provides a report 300e to a buyer system. The report 300e include data about the vehicle from the data-record in the auction server database. The above information shows that once the entered data in the fields posted in the data-record, the server retrieves the entered data to represent

an offering of a good or details of a vehicle as displayed in the report 300e to the buyer (fig. 3E, page 4, col. Right, lines 17-23; page 6, col. Left, lines 1-10).

Boyden does not explicitly teach the claimed limitation "similar listing, receive an indication from a user to select a similar listing".

Linden teaches displaying similar items listings and a user selecting a corresponding hyperlink from a Web page to obtain a listing of recommended book titles or obtain a listing of recommended music or video titles (fig. 6, col. 14, lines 15-20).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Linden's teaching of displaying similar items listings and a user selecting a corresponding hyperlink from a Web page to obtain a listing of recommended book titles or obtain a listing of recommended music or video titles to Boyden's system in order to allow a user select a particular similar item listing so that the service can retrieve another similar item lists based on the selected similar list and further to predict the interests of users based on the user's indication so that the system provide a recommendation of similar items based on the interests of users.

As to claim 14, Boyden teaches the claimed limitation " wherein the user is allowed to accept the listing, prior to posting the listing" as allowing a user to update or cancel updating the data record for the specific vehicle or canceling the data update (page 4, paragraph [0033], lines 6-10).

As to claim 15, Boyden teaches the claimed limitation "wherein the network-based commerce system includes a database of listing data associated with at least one of a group including movies, music, games, books and motor vehicles" as a database of listing data associated with motor vehicle (figs. 2A & 2E, page 4, col. right, lines 17-23).

As to claims 21 and 31, Boyden teaches claimed limitation "wherein the listing identification data is a Vehicle Identification Number (VIN) of a vehicle, the listing data includes one of a group including a model year of the vehicle, a manufacturer of the vehicle, a number of doors of the vehicle, and an engine capacity of the vehicle" as a Vehicle Identification Number (fig. 2A), retrieving vehicle data includes model of year of the vehicle (fig. 3A, page 5, paragraph [0042]).

As to claim 23, Boyden teaches a network-based commerce system, which includes at least one server (an electronic auction server system is linked to sellers and buyer systems, page 3, paragraph [0024], lines 8-9):

"receive listing identification data from a user requesting posting of a listing on a network-based commerce system" as the input section 202 can include a search tool 204 having an input fields 205 and a button 206 to search for vehicles in the list 201 by Vehicle Identification Number (VIN). Fig 2B shows an example of a vehicle work sheet page 200b to modify data for a vehicle that was already on the list 201 of the work list page 200a before posting to a server. The vehicle data includes 213 and 214. The

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above information shows that to display the vehicle data as shown in fig. 2B, the system receives VIN from a user and retrieves the a specific vehicle based on the inputted VIN by the user (fig. 2A, page 4, col. Left, lines 2-7; page 4, paragraph [0032], lines 1-9; page 4, col. Right, lines 17-23);

“searching a database of reference listing data to locate a similar listing” as the input section 202 can include a search tool 204 having an input fields 205 and a button 206 to search for vehicles in the list 201 by Vehicle Identification Number (VIN). Fig 2G shows various seller report pages 200g-200j that are generated by the server and sent to the seller system. The above information shows that system searches the list 201 as a database of reference listing data to display or locate the seller report pages on an interface for viewing. The report includes items about vehicles. The items are not similar listing (figs. 2A & 2B, page 4, col. Left, lines 2-7; page 4, paragraph [0032], lines 1-9, paragraph [0036], lines 1-3);

“generate a proposed listing to present to the user, the proposed listing including the similar listing” as displaying a page includes data 213 and 214. The page is represented as a proposed listing. The proposed listing does not include similar listing (fig. 2B, page 4, paragraph [0032], lines 1-3);

“allow the user to modify the listing data in the proposed listing to create a listing” as prior to posting or sending the data entered in fields 218-220 to a database in the auction server system, the system allows the user to edit the vehicle data of the page 200b in fig. 2B by clicking on either links such as 1. Modify vehicle configuration, 2.

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Modify condition report, 3. Update mileage & pricing (figs. 2B & 2C, page 4, paragraph [0032], lines 1-21, col. Right, lines 17-23);

“resulting in the listing” as after the user to edit vehicle data and click on update icon, the system indicates Mileage & pricing of the vehicle data are updated (fig 2C, page 4, paragraph [0033], lines 1-10);

“post the listing in a database of the network-based commerce system” as sending the data entered in the fields 218-220 to a data-record for the vehicle in the auction server system. More specifically, the seller system sends the data entered in the fields to a database in the auction server (page 4, col. Right, lines 17-23);

“the listing, once posted, representing an offering of a good or service” as the seller sends the data entered in the fields to a data-record for the vehicle in the auction server system. Then the auction server system provides a report 300e to a buyer system. The report 300e include data about the vehicle from the data-record in the auction server database. The above information shows that once the entered data in the fields posted in the data-record, the server retrieves the entered data to represent an offering of a good or details of a vehicle as displayed in the report 300e to the buyer (fig 3E, page 4, col. Right, lines 17-23; page 6, col. Left, lines 1-10).

Boyden does not explicitly teach the claimed limitation “similar listing, receive an indication from the user to indicate a selection of the similar listing”.

Linden teaches displaying similar items listings and a user selecting a corresponding hyperlink from a Web page to obtain a listing of recommended book titles or obtain a listing of recommended music or video titles (fig. 6, col. 14, lines 15-20).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Linden's teaching of displaying similar items listings and a user selecting a corresponding hyperlink from a Web page to obtain a listing of recommended book titles or obtain a listing of recommended music or video titles to Boyden's system in order to allow a user select a particular similar item listing so that the service can retrieve another similar item lists based on the selected similar list and further to predict the interests of users based on the user's indication so that the system provide a recommendation of similar items based on the interests of users.

As to claim 24, Boyden teaches the claimed limitation "which allows the user to accept the listing prior to posting the listing" as allowing a user to update or cancel updating the data record for the specific vehicle. The above information indicates that the system allow a user to accept the data record or deny the data record before posting the data record to the server (page 4, paragraph [0033], lines 6-10; page 4, col. Right, lines 17-23).

As to claim 26, Boyden teaches the claimed limitation "the server generates a user interface with a plurality of fields; and populating the fields with the listing data" as generating a web page with a plurality of fields 304 and populating the fields 304 with the vehicle data (fig. 3A-3B, page 5, paragraph [0041], lines 1-10).

As to claim 35, Boyden teaches the claimed limitation "the offering includes an auction listing" as showing pricing or sale listing for vehicles (fig. 3B).

As to claim 37, Boyden teaches the claimed limitations:

"receiving listing identification data from a user" as the input section 202 can include a search tool 204 having input fields 205 and a button 206 to search for vehicles in the list 201 by Vehicle Identification Number (VIN). Fig 2B shows an example of a vehicle work sheet page 200b to modify data for a vehicle that was already on the list 201 of the work list page 200a before posting to a server. The vehicle data includes 213 and 214. The above information shows that to display the vehicle data as shown in fig. 2B, the system receives VIN from a user and retrieves the a specific vehicle based on the inputted VIN by the user (fig. 2A, page 4, col. Left, lines 2-7; page 4, paragraph [0032], lines 1-9; page 4, col. Right, lines 17-23);

"retrieving, from a database of reference listing data, a similar reference listing based on the listing identification data" searches a database of reference listing data to locate at least one similar listing" as to generate a set of recommendations for a given user, the service retrieves from the table the similar items lists corresponding to items already known to be of interest to the user, and then appropriately combines these lists to generate a list of recommended items. The above information shows that the table is searched for retrieving the similar items lists corresponding to items already known to be of interest to the user. The set of recommendations is not at least one similar listing (col. 3, lines 7-10);



“generating a proposed listings based on the retrieved similar listing” as prior to posting or sending the data entered in fields 218-220 to a database in the auction server system, the system allows the user to edit the vehicle data of the page 200b in fig. 2B by clicking on either links such as 1. Modify vehicle configuration, 2. Modify condition report, 3. Update mileage & pricing. The above information shows that the system creates a proposed list to allow a user selection (figs. 2B & 2C, page 4, paragraph [0032], lines 1-21, col. Right, lines 17-23);

“communicating the proposed listing for selection by the user” as prior to posting or sending the data entered in fields 218-220 to a database in the auction server system, the system allows the user to edit the vehicle data of the page 200b in fig. 2B by clicking on either links such as 1. Modify vehicle configuration, 2. Modify condition report, 3. Update mileage & pricing (figs. 2B & 2C, page 4, paragraph [0032], lines 1-21, col. Right, lines 17-23);

“responsive to selection of the proposed listing by the user, posting a listing as an offering of a good service” as the seller sends the data entered in the fields to a data-record for the vehicle in the auction server system. Then the auction server system provides a report 300e to a buyer system. The report 300e include data about the vehicle from the data-record in the auction server database. The above information shows that once the entered data in the fields posted in the data-record, the server retrieves the entered data to represent an offering of a good or details of a vehicle as displayed in the report 300e to the buyer (fig 3E, page 4, col. Right, lines 17-23; page 6, col. Left, lines 1-10).

Boyden does not explicitly teach the claimed limitation "similar listing".

Linden teaches generating a set of recommendations for a given user by retrieving from the table the similar items lists corresponding to items already known to be of interest to the user, displaying the set of recommendations and select a link associated with one of the recommended items to view the product information page for that item and selecting a link associated with one of the recommended items to view the product information page for that item (col. 3, lines 7-10).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Linden's teaching of generating a set of recommendations for a given user by retrieving from the table the similar items lists corresponding to items already known to be of interest to the user, displaying the set of recommendations and select a link associated with one of the recommended items to view the product information page for that item and selecting a link associated with one of the recommended items to view the product information page for that item to Boyden's system in order to save time for searching a particular type or category of item and further to provide the most relevance information based on user's selection.

As to claim 38, Boyden teaches the claimed limitation "including updating the database of reference listing data to include the listing when the selected proposed listing has been edited by the user" as ((fig 3E, page 4, col. Right, lines 17-23; page 6, col. Left, lines 1-10).

7. Claims 5, 6, 17-18 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyden et al (or hereinafter "Boyden") (US 2003/0036964 A1) in view of Linden and further in view of Erdelyi (US 6631522).

As to claim 5, Boyden does not explicitly disclose the claimed limitation, "which includes providing a plurality of check boxes each of which is associated with an attribute of the listing and automatically without human intervention checking attributes based on the listing data". Erdelyi teaches that after a user selects the name of a player in the scrollable list to display that player's information in the player Information box. The system automatically displays a plurality of check boxes to a user (fig. 4C).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erdelyi's teaching of after a user selects the name of a player in the scrollable list to display that player's information in the player Information box to Boyden's system in order to save time for a user to fill out detail information about a item during searching/retrieving the item in a large database on a network system.

As to claim 6, Boyden does not explicitly teach the claimed limitation "which includes allowing the user to modify checks in the check boxes". Erdelyi teaches a user can modify a check box that associated with an attribute (fig. 5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erdelyi's teaching of a user can modify a check box

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that associated with a attribute Boyden's system in order to allow a user to view a specific feature of a item as user's desire.

As to claim 17, Boyden does not explicitly teach the claimed limitation "wherein a plurality of check boxes are provided, each check box being associated with an attribute of the listing and selectively being automatically checked based on the listing data without human intervention". Erdelyi teaches that after a user selects the name of a player in the scrollable list to display that player's information in the player Information box. The system automatically displays a plurality of check boxes to a user (fig. 4C).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erdelyi's teaching of after a user selects the name of a player in the scrollable list to display that player's information in the player Information box to Boyden's system in order to save time for a user to fill out detail information about a item during searching/retrieving the item in a large database on a network system.

As to claim 18, Boyden does not explicitly teach the claimed limitation "wherein the user is allowed to modify checks in the check boxes". Erdelyi teaches a user can modify a check box that associated with an attribute (fig. 5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erdelyi's teaching of a user can modify a check box

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that associated with a attribute to Boyden's system in order to allow a user to view a specific feature of a item as user's desire.

As to claim 27, Boyden does not explicitly disclose the claimed limitation, "which provides a plurality of check boxes each of which are associated with an attribute of the listing and automatically without human intervention checking attributes based on the listing data". Erdelyi teaches that after a user selects the name of a player in the scrollable list to display that player's information in the player Information box. The system automatically displays a plurality of check boxes to a user (fig. 4C).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erdelyi's teaching of after a user selects the name of a player in the scrollable list to display that player's information in the player Information box to Boyden's system in order to save time for a user to fill out detail information about a item during searching/retrieving the item in a large database on a network system.

As to claim 28, Boyden does not explicitly teach the claimed limitation "which allows the user to modify checks in the check boxes". Erdelyi teaches a user can modify a check box that associated with an attribute (fig. 5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erdelyi's teaching of a user can modify a check box

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that associated with a attribute to Boyden's system in order to allow a user to view a specific feature of a item as user's desire.

8. Claims 10, 22 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyden et al (or hereinafter "Boyden") (US2003/0036964 A1) in view of Linden and further in view of Maze et al (or hereinafter "Maze") (US 6216264).

As to claim 10, Boyden does not teach the claimed limitation "wherein the listing identification data is one of a group including a movie title and UPC code, the method including retrieving listing data in the form of details on the movie". Maze teaches movie title and retrieving details of the movie on an form 320 as shown in fig. 3 (col. 3, lines 10-20; col. 2, lines 53-54).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Maze's teaching of movie title and retrieving details of the movie on a form 320 to Boyden's system in order to allow a user to save time searching/retrieving a particular music and further to prevent producing query results that contain relatively large number of irrelevant movies.

As to claim 22, Boyden does not teach the claimed limitation "wherein the listing identification data is one of a movie title and UPC code, and the listing data includes details on the movie". Maze teaches movie title and retrieving details of the movie on an form 320 as shown in fig. 3 (col. 3, lines 10-20; col. 2, lines 53-54).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Maze's teaching of movie title and retrieving details of the movie on a form 320 to Boyden's system in order to allow a user to save time searching/retrieving a particular music and further to prevent producing query results that contain relatively large number of irrelevant movie.

As to claim 32, Boyden does not teach the claimed limitation "wherein the listing identification data is one of a movie title and UPC code, the system retrieves the listing data in the form of details on the movie". Maze teaches movie title and retrieving details of the movie on an form 320 as shown in fig. 3 (col. 3, lines 10-20; col. 2, lines 53-54).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Maze's teaching of movie title and retrieving details of the movie on a form 320 to Boyden's system in order to allow a user to save time searching/retrieving a particular music and further to prevent producing query results that contain relatively large number of irrelevant movies.

9. Claims 11, 12, 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyden et al (or hereinafter "Boyden") (US2003/0036964 A1) in view of Linden and further in view of Ortega et al (or hereinafter "Ortega") (US 6144958).

As to claim 11, Boyden does not explicitly teach the claimed limitation "wherein the listing identification data is one of a group including a book title and UPC code, the method including retrieving listing data in the form of details on the book". Ortega

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teaches allow a user to search book item based on book titles. Fig. 2 illustrates the general format of a search book page that can be used to search the bibliographic database for book titles. The page includes author, title and subject files. The search book page is represented as a form of details on the book (col. 3, lines 53-61; col. 4, lines 1-5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Ortega's teaching of allow a user to search item based book title and to access a search book page to search for author, title and label fields to Boyden's system to allow a user to save time searching/retrieving a particular book and further to prevent to produce query results that contain relatively large number of irrelevant books.

As to claim 12, Boyden does not explicitly teach the claimed limitation "wherein the listing identification data is one of a group including a music title and UPC code, the method including retrieving the listing data in the form of details on the music item". Ortega teaches allowing a user to search music based on music title. Also, a user can access a music search page to search for music title using the artist, title and label fields. The search music page is represented as the form of details on the music (col. 3, lines 53-61; col. 4, lines 1-10).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Ortega's teaching of allow a user to search item based music titles and to access a search music page to search for music title using the artist,



title and label fields to Boyden's system to allow a user to save time searching/retrieving a particular music and further to prevent to produce query results that contain relatively large number of irrelevant music.

As to claim 33, Boyden does not explicitly teach the claimed limitation "wherein the listing identification data is one of a book title and UPC code, the system retrieves the listing data in the form of details on the book". Ortega teaches allow a user to search book item based on book titles. Fig. 2 illustrates the general format of a search book page that can be used to search the bibliographic database for book titles. The page includes author, title and subject files. The search book page is represented as a form of details on the book (col. 3, lines 53-61; col. 4, lines 1-5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Ortega's teaching of allow a user to search item based book title and to access a search book page to search for author, title and label fields to Boyden's system to allow a user to save time searching/retrieving a particular book and further to prevent to produce query results that contain relatively large number of irrelevant books.

As to claim 34, Boyden does not explicitly teach the claimed limitation "wherein the listing identification data is one of a music title and UPC code, the system retrieves the listing data in the form of details on the music". Ortega teaches allowing a user to search music based on music title. Also, a user can access a music search page to

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search for music title using the artist, title and label fields. The search music page is represented as the form of details on the music (col. 3, lines 53-61; col. 4, lines 1-10).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Ortega's teaching of allow a user to search item based music titles and to access a search music page to search for music title using the artist, title and label fields to Boyden's system to allow a user to save time searching/retrieving a particular music and further to prevent to produce query results that contain relatively large number of irrelevant music.

10. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boyden et al (or hereinafter "Boyden") (US2003/0036964 A1) in view of Linden and further in view of Bezos et al (or hereinafter "Bezos") (US 6029141).

As to claim 36, Boyden does not explicitly disclose the claimed limitation "the offering includes a fixed-price offering". Bezos teaches a fixed-price offering for good is provided to a user (fig. 10b).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bezos' s teaching of teaches a fixed-price offering for good is provided to a user to Boyden's system in order to provide an electronic commerce solution by which preventing a user to negotiate price for a product for increasing sale products quickly.

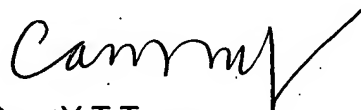
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**Contact Information**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T. Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Cam Y T Truong  
Primary Examiner  
Art Unit 2162  
11/30/2006